

January 21, 2008

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Beverly Broadcasting Company (BBC) is the licensee of Class D AM station WRKQ in Madisonville, Tennessee. We would like to express support of the proposal to allow AM stations to rebroadcast via FM translators to maintain coverage area at night and to help overcome man-made interference even during the day.

WRKQ is licensed for 500 watts and suffers much interference from man-made electrical noise even in cars due to RF leakage from our local utility, train signals and the like. Computers, light dimmers and other man made devices compound the problem inside. A small FM footprint would alleviate much of this.

While the Commission has expressed its desire to expand Low Power FM service to allow the community a voice on the airwaves, in many cases it is the small mom and pop AM stations in communities that are already providing such programming. In addition to local high school sports, WRKQ regularly provides the only broadcast coverage of local elections, provides air time for discussion to community leaders and elected officials, and even has a one hour program weekly that focuses on local music and musicians. Yes, a commercial radio station that promotes local music.

On the other hand there are three Low Power FM's on the air within 20 miles of Madisonville. Two are 24 hour satellite repeaters of a church network. The third does local programming, principally high school sports and paid church programs which are its primary source of revenue. The rest of the time, this "community" LPFM is fully automated from the principal manager's apartment. There at least five other LPFM's within an hour's drive of Madisonville that are either "satellators" or 24 hours of Christian music on hard drive with little local programming beyond music and church services.

There are many examples similar to this where small town AM's provide the type of local information and community access envisioned for LPFM, but actually on the air now on local AM stations.

BBC is not proposing the elimination of the LPFM service, but the commission's recent decision to afford this service a sort of "super-secondary" status and the promise to open an LPFM window before any other window is likely to doom AM on FM translators before it is given a chance to develop. Other than those places where an unwanted existing translator happens to fall in an AM's coverage area would there be no opportunity for improvement.

Thus, the BBC suggests the following sweeping changes. First all non-commercial translators should be held to the same standards as commercial translators. No coverage allowed outside the primary station's one millivolt contour or no financial support of any kind for non-complying translators. We realize that this will present a hardship on many non-profits who have built out substantial translator networks. But a hardship was imposed on commercial stations in 1992 when the FCC announced that new rules would take effect in 1995 leading to the current prohibitions on supporting a translator that extends the coverage area of the primary station.

The FCC has repeatedly expressed its desire to bring more localism to broadcasting, and a three year notice to non-commercial broadcasters for these new rules would be appropriate to greatly enhance opportunities for local programming, both from LPFM stations and translators for AM stations. The primarily religious organizations that use translators to broadcast their message far beyond the contours of the primary station would have an opportunity to recoup some or all of their investment by selling translators to AM's hungry for the additional coverage. It would also free up spectrum for more Low Power FM stations.

In the matter of AM translators being allowed to rebroadcast on FM translators, it is obvious that large group owners who have multiple stations and large clusters would have the financial resources to gobble up many translator frequencies for their AM's, likely at the expense of the smaller Mom and Pop stations such as ours. It is proposed that rather than putting up mutually exclusive proposals for auction as is done in full power situations, the FCC adopt a priority system to award such FM translators to the stations with most need for them first. Such a priority system would be as follows.

1. First priority would go to Class D AM standalone AM stations with no other local broadcast interests.
2. Second priority would go to Class C AM standalone AM stations with no other local broadcast interests.
3. Third priority would go to Class B or Class A standalone AM stations with no other local broadcast interests.

This priority would be repeated for stations with other AM stations in the market. Then and only then would AM stations with a co-located or local FM be allowed to add an FM translator. These companies already have a full power FM station. They have many opportunities to serve the full community with these stations. If a full-time AM/Class C FM station is able to use its superior financial resources to prevent a small mom and pop AM in the same community from finding an FM translator frequency, the FCC's goals of enhanced localism will be sidestepped. A broadcasting company in a given community should be given an opportunity to add a first FM service before a company in the same general area should be allowed to add a second, third or fourth FM frequency.

Finally, BBC proposes that whatever advantages may be given to LPFM service be also afforded to the AM on FM translator service. This would include any changes in contour protection, priority on filing windows, support for finding new frequencies to accommodate a full service upgrade, or other helping hands that may be offered to the LPFM service. If the goal is to enhance localism, there are thousands of AM stations already providing more local programming per channel on average than the LPFM service is currently providing with its preponderance of church owned automated stations.

We submit that concurrent growth of the LPFM service and enhancement of the nation's AM broadcasters is the best possible course to provide enhanced localism from today's available spectrum.

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